

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOAQUIN MALDONADO,

Plaintiff,

-against-

LANDZIGN CORP. and MICHAEL
SCOTT COLLINS,

Defendants.

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ORDER ADOPTING R & R

Civil Action No. 15-3054(DRH)(GRB)

HURLEY, Senior District Judge:

Plaintiff Joaquin Maldonado (“plaintiff”) commenced this action against defendants Landzign Corp. and Michael Scott Collins (“defendants”) asserting claims for failure to pay overtime wages under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §§ 207, 216 and N.Y. Labor Law § 663 and N.Y.C.R.R. § 142-2.2 and wage notice and statement violations under N.Y. Labor Law §§ 195, 198. Defendants failed to answer the complaint and plaintiff moved for a default judgment. By Order dated January 19, 2016, the Court referred the motion to Magistrate Judge Gary R. Brown for a report and recommendation on whether the motion should be granted, and if so, what relief, if any, should be awarded. On July 14, 2016, Judge Brown issued a Report and Recommendation recommending that the motion for default judgment be granted and that principal damages of \$125,363.52, attorneys’ fees of \$7,798.14 and costs of \$752.48 be awarded. More than fourteen days have elapsed since service of the Report and Recommendation and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. Accordingly, this Court adopts the July 14, 2016 Report and Recommendation of

Judge Brown as if set forth herein. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for default judgment be granted and that judgment be entered in favor of plaintiff and against defendants, jointly and severally, in the amount of \$125,363.52 for damages, plus \$7,798.14 for attorney's fees and \$752.48 for costs.

The Clerk of Court is requested to enter judgment accordingly and to close this case.

SO ORDERED.

Dated: Central Islip, N.Y.
August 8, 2016

/s/ Denis R. Hurley
Denis R. Hurley,
United States District Judge